

## AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HOWARD HENRY,

INDEX #:  
05 CV 8106  
DATE FILED:  
10/20/2005

Plaintiff(s)  
Petitioner(s)

Defendant(s)  
Respondent(s)

JUDGE:  
WOOD

- against -

WYETH PHARMACEUTICALS, INC.,  
WALTER WARDROP, ANDREW SCHASCHL,  
AND MICHAEL McDERMOTT,

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

TONY CONIGLIARO, BEING DULY SURNED DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on 11/08/2005, 01:03PM at 401 NORTH MIDDLETOWN ROAD, PEARL RIVER NY 10965, deponent served the within SUMMONS IN A CIVIL CASE & COMPLAINT on WYETH PHARMACEUTICALS, INC., a defendant in the above action.

By delivering to and leaving with JOANNE ROSE at the above address and that he knew the person so served to be the managing agent of the corporation.

DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex F Approximate age 54 Approximate height 5'06" Approximate weight 139 Color of skin WHITE Color of hair BROWN,  
BLONDE Other GLASSES

LEEDS MORELLI &  
BROWN, P.C.

ONE OLD COUNTRY ROAD  
SUITE 347  
CARLE PLACE, NY 11514  
(516)873-9550

Sworn to before me on 11/09/2005  
MAUREEN MCCAFFREY NO 01MC5018583  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN SUFFOLK COUNTY  
COMMISSION EXPIRES OCTOBER 4, 2009

TONY CONIGLIARO

Apple Attorney Service, PO Box 470, Mineola NY 11501-0470  
Phone: 516-742-0077 \* Fax: 516-742-4726

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WYETH PHARMACEUTICALS, INC.,  
WALTER WARDROP, ANDREW SCHASCHL,  
AND MICHAEL MCDERMOTT,Defendant(s)  
Respondent(s)

STATE OF NEW YORK: COUNTY OF NASSAU: ss:

TONY CONIGLIARO, BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND IS OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on 11/08/2005, 01:03PM at 401 NORTH MIDDLETOWN ROAD, PEARL RIVER NY 10965, deponent served the within SUMMONS IN A CIVIL CASE &amp; COMPLAINT on WALTER WARDROP, a defendant in the above action.

By delivering a true copy thereof to and leaving with JOANNE ROSE/CO-WORKER, a person of suitable age and discretion at the above address, the said premises being the defendant's place of business within the State of NEW YORK.

C/O WYETH PHARMACEUTICALS, INC.

Deponent completed service by depositing a copy of the above described papers in a post paid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office in the State of NEW YORK, on 11/08/2005 addressed to defendant WALTER WARDROP at 401 NORTH MIDDLETOWN ROAD, PEARL RIVER NY 10965 with the envelope bearing the legend PERSONAL AND CONFIDENTIAL and did not indicate on the outside thereof that the communication was from an attorney or concerned an action against the defendant.

## DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

Sex F Approximate age 54 Approximate height 5'06" Approximate weight 139 Color of skin WHITE Color of hair BROWN, BLONDE Other GLASSES

JOANNE ROSE told the deponent that WALTER WARDROP was not presently in the military service of the United States Government or on active duty in the military service in the State of NEW YORK or a dependent of anybody in the military.

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That on 11/08/2005, 01:03PM at 401 NORTH MIDDLETOWN ROAD, PEARL RIVER NY 10965, deponent served the within SUMMONS IN A CIVIL CASE & COMPLAINT on ANDREW SCHASCHL, a defendant in the above action.

By delivering a true copy thereof to and leaving with JOANNE ROSE/CO-WORKER, a person of suitable age and discretion at the above address, the said premises being the defendant's place of business within the State of NEW YORK.

C/O WYETH PHARMACEUTICALS, INC.

Deponent completed service by depositing a copy of the above described papers in a post paid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office in the State of NEW YORK, on 11/08/2005 addressed to defendant ANDREW SCHASCHL at 401 NORTH MIDDLETOWN ROAD, PEARL RIVER NY 10965 with the envelope bearing the legend PERSONAL AND CONFIDENTIAL and did not indicate on the outside thereof that the communication was from an attorney or concerned an action against the defendant.

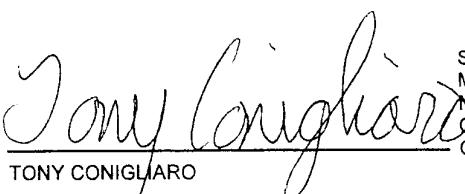
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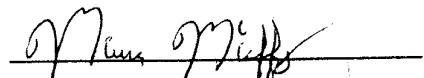
JOANNE ROSE told the deponent that ANDREW SCHASCHL was not presently in the military service of the United States Government or on active duty in the military service in the State of NEW YORK or a dependent of anybody in the military.

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By delivering a true copy thereof to and leaving with JOANNE ROSE/CO-WORKER, a person of suitable age and discretion at the above address, the said premises being the defendant's place of business within the State of NEW YORK.

C/O WYETH PHARMACEUTICALS, INC.

Deponent completed service by depositing a copy of the above described papers in a post paid, properly addressed envelope in an official depository under the exclusive care and custody of the United States Post Office in the State of NEW YORK, on 11/08/2005 addressed to defendant MICHAEL McDERMOTT at 401 NORTH MIDDLETOWN ROAD, PEARL RIVER NY 10965 with the envelope bearing the legend PERSONAL AND CONFIDENTIAL and did not indicate on the outside thereof that the communication was from an attorney or concerned an action against the defendant.

## DEPONENT DESCRIBES THE INDIVIDUAL SERVED AS FOLLOWS:

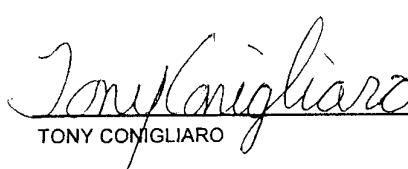
Sex F Approximate age 54 Approximate height 5'06" Approximate weight 139 Color of skin WHITE Color of hair BROWN, BLONDE Other GLASSES

JOANNE ROSE told the deponent that MICHAEL McDERMOTT was not presently in the military service of the United States Government or on active duty in the military service in the State of NEW YORK or a dependent of anybody in the military.

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